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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,298	06/05/2001	Joseph P. Steiner	06843.0038	6727

22852 7590 10/20/2004

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
1300 I STREET, NW
WASHINGTON, DC 20005

EXAMINER

KIM, VICKIE Y

ART UNIT PAPER NUMBER

1614

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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09/873298

6/5/2001

Steiner et al

06842.0038

EXAMINER

V. Kim

ART UNIT

PAPER

1614

20040920

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

All claims are allowable. However, due to a potential interference, ex parte prosecution is SUSPENDED FOR A PERIOD OF 6 MONTHS from the date of this letter. Upon expiration of the period of suspension, applicant should make an inquiry as to the status of the application.

VICKIE KIM
PRIMARY EXAMINER
Vickie Kim
Primary Examiner
Art Unit 1614

Supplemental Examiner's Amendment

1. A supplemental examiner's amendment to the record appears below. The instant amendment is necessary to correct the deficiency included in the claims 1, 11 and 44 that were indicated as allowable in previous office action(see paper no. 25, mailed 4/16/ 04). Thus, the instant amendment supercedes any office action previously issued. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Henschel, Rouget(Rich) on 09/20/2004.

2. The application has been amended as follows:

a. Please rewrite the claims 44 as following:

----- Claim ~~44~~³.(Amended) The method of claim ~~41~~¹,

- Gi
- wherein J and K are taken together to form a 5 membered heterocyclic ring;
 - wherein X is oxygen and R₁ is not hydrogen;
 - wherein U is O-(C1-C4)-straight or branched alkyl or O-(C2-C4)-straight or branched alkenyl, C1-C6-straight or branched alkyl, or C2-C6-straight or branched alkenyl, C5-C7-cycloalkyl or (C5-C7)-cycloalkenyl substituted with (C1-C4)-straight or branched alkyl or (C2-C4)-straight or branched alkenyl, 2-indolyl, 3-indolyl, [(C1-C4)-alkyl or (C2-C4)-alkenyl] -Ar or Ar. --

b. Cancel claims 1 and 11.

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Conclusion

1. All pending claims 41-42, 44-45 and 49 are remained as allowable. However, due to a potential interference, ex parte prosecution is remained as SUSPENDED FOR A PERIOD OF 6 MONTHS from the date of this letter. Upon expiration of the period of suspension, applicant should make an inquiry as to the status of the application.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vickie Kim whose telephone number is 571-272-0579. The examiner can normally be reached on Tuesday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Low be reached on 571-272-0953. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VICKIE KIM
PRIMARY EXAMINER

Vickie Kim
April 6, 2004


BRUCE KISLIUK, DIRECTOR
TECHNOLOGY CENTER 1600

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Primary Patent examiner
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